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8 Attorneys for Plaintiffs

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 KEVIN MORRIS and GLENN R.  
12 SEMOW, on behalf of Themselves and  
13 All Others, Simalarly Situated,

14 Plaintiffs,

15 v.

16 BMW OF NORTH AMERICA, LLC

17 Defendants.

) CASE NO. CV 07-2827 WHA  
) Hon. William H. Alsup  
)

) **ORDER GRANTING LEAVE TO**  
) **FILE FIRST AMENDED**  
) **COMPLAINT & TAKING**  
) **DEFENDANT'S PENDING**  
) **MOTION TO DISMISS OFF-**  
) **CALENDAR**

18 Action Filed: May 31, 2007

19 **ORDER**

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21 Based upon the stipulation of the parties and for good cause shown, IT IS  
22 HEREBY ORDERED that defendant BMW's pending motion to dismiss shall be  
23 taken off-calendar without prejudice; that plaintiffs may have until August 31, 2007,  
24 to file their First Amended Complaint; and that defendant BMW will have 20 days to  
25 answer or otherwise plead in response to the First Amended Complaint.  
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27 The hearing on the motion to dismiss set for August 30, 2007, shall be taken  
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1 off-calendar.

2 Dated: August \_\_, 2007.

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United States District Court Judge  
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